

NOT VOTING—2.

Buchanan of Grimes, Patton.

Senator Lane's amendment was then lost by the following vote:

YEAS—7.

Burges, Cooper, Lair,	Lane, Rainey,	Terrell, Weatherred.
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NAYS—18.

Buchanan of Grimes Buchanan of Wood, Burton, Gooch, Harris, Henderson,	Hightower, Homan, Lightfoot, Martin of Cooke, Martin of Navarro, Moore,	Powers, Shannon, Stewart, Stubbs, Swain, Wyane.
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NOT VOTING.

Patton.

Senator Stewart offered the following amendment: In section 3, line 7, strike out the words "one dollar" and insert in lieu thereof the words "two dollars." Adopted by the following vote:

YEAS—17.

Buchanan of Grimes Burton, Gooch, Hightower, Homan, Lane,	Lightfoot, Martin of Navarro, Moore, Patton, Powers, Rainey,	Shannon, Stewart, Stubbs, Swain, Wyane.
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NAYS—9.

Buchanan of Wood, Burges, Cooper,	Harris, Henderson, Lair,	Martin of Cooke, Terrell, Weatherred.
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Senator Gooch offered the following amendment: Amend section 9, article 8, by inserting after the words "public buildings" the words "or providing and maintaining city water-works."

Senator Martin of Cooke offered to amend the amendment by adding after the word "water-works" the words "and other permanent public improvements." Accepted, and amendment, as amended, adopted.

Senator Wynne moved to amend the amendment of Senator Lane by adding after the word "counties," in line 3, the words "towns and cities." Withdrawn.

Senator Patton moved to amend by striking out "freeholders" and inserting "qualified electors."

Lost by the following vote:

YEAS—10.

Burges, Burton, Cooper, Henderson,	Homan, Lair, Lightfoot,	Martin of Cooke, Patton, Powers.
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NAYS—16.

Buchanan of Grimes Buchanan of Wood, Gooch, Harris, Hightower, Lane,	Martin of Navarro, Moore, Rainey, Shannon, Stewart,	Stubbs, Swain, Terrell, Weatherred, Wynne.
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The resolution was then ordered engrossed.

Senate bill No. 98, entitled "An act to establish the University of Texas," being the next special order, was taken up and read second time.

Senator Hightower offered to amend section 2 by striking out "Tuesday," in first line of said section, and insert "Monday." Withdrawn.

Senator Gooch offered the following amendment: Amend section 2, line 18, page 3, by inserting after the words "it shall be open to all persons in the State who may wish to avail themselves of its advantages" the words "and to males and females on equal terms." Adopted.

Senator Stubbs offered the following amendment: Amend section 1, line 4, by adding to it:

The medical department of the University shall be located, if so

determined by a vote of the people, at a different point from the University proper, and as a branch thereof; and the question of the location of said department shall be submitted to the people, and voted on separately from the propositions for the location of the main University. The nominations and election for the location of the medical department shall be subject to the other provisions of this act, with respect to the time and manner of determining the location of the University.

Lost by the following vote, and bill ordered engrossed:

YEAS—9.

Burges, Harris, Homan,	Lair, Martin of Navarro, Powers,	Rainey, Shannon, Stubbs.
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YEAS—12.

Buchanan of Grimes Buchanan of Wood, Gooch, Henderson,	Hightower, Moore, Patton, Stewart,	Swain, Terrell, Weatherred, Wynne.
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NOT VOTING—5.

Burton, Cooper,	Lane, Lightfoot,	Martin of Cooke.
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Senator Terrell, by leave, introduced a joint resolution authorizing the Governor to employ a suitable and competent architect or architects to assist the board of commissioners appointed to superintend the construction of a new capitol, and to provide for the payment of his services. Referred to Committee on Public Grounds and Buildings.

Senator Shannon moved to postpone regular business and take up Senate joint resolution No. 20, passed to engrossment to-day, and that the vote ordering the same engrossed be reconsidered. Adopted.

Senator Martin of Cooke, offered to amend by striking out the word "freeholders," and inserting "property tax-payers."

Senator Martin of Navarro, moved that the resolution be postponed till to-morrow, and made special order after morning call. Adopted.

The President presented an invitation to Senators and officers of the Senate to attend a musical and literary entertainment at the Blind Asylum, on Friday next, eleventh instant, at 7:30 p. m., given by the blind boys and girls of said institution.

Senator Martin of Cooke moved to suspend regular business and take up House bill No. 292, entitled "An act to reorganize the Tenth Judicial District and to establish the Thirty-fifth Judicial District and prescribe the time of holding terms of courts therein, and providing for the appointment of a district attorney and a district judge for the Thirty-fifth Judicial District and a district attorney for the Tenth Judicial District." Adopted.

Bill taken up and read second time.

Senator Martin of Cooke offered the following amendment:

That owing to the recent organization of counties in the Panhandle making it impossible for the Judge of the Tenth District to hold court therein on account of the great extent of the district, an imperative public necessity and emergency exists that the Constitutional rule requiring this bill to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

Adopted.

On motion of Senator Swain the Senate adjourned till to-morrow morning at 10 o'clock.

TWENTY-EIGHTH DAY.

SENATE CHAMBER,
AUSTIN, February 11, 1881. }

Senate met pursuant to adjournment; President Storey in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

On motion of Senator Gooch, the reading of the journals of yesterday was dispensed with, and the same adopted.

Senator Terrell, chairman of Judiciary Committee No. 1, submitted the following reports:

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 91, being "An act to amend article 3602, chapter 10, of title 71, of the revised Civil Statutes of the State of Texas, entitled 'of hiring county convicts,'" have considered the same and instruct me to report the same back to the Senate, with the recommendation that it do not pass.

TERRELL, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 151, being "An act amendatory of article 2607, chapter 12, title 47, of the Revised Civil Statutes of the State of Texas," have had the same under consideration, and have instructed me to report back the bill with amendment, and, as amended, to recommend that it do pass.

The amendment restores an act formerly in force, which permits a parent who has conveyed property to the minor child to retain its custody and control without being required to give bond therefor as guardian.

TERRELL, Chairman.

AMENDMENT.

Article 2607a. The parent shall not be required to execute bond as guardian of the child in order to authorize such parent to manage and control, during the minority of the child, such property or its proceeds, but shall be entitled to the control of the same.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 124, entitled "An act providing for the custody and safe-keeping of the Texas reports, statutes and other law books belonging to the counties in this State," have examined said bill, and as there is no law now in existence, providing adequately for the care and safe-keeping of the law books, including reports, etc., belonging to the various counties in this State, and as the bill, by its terms, provides for such care and custody, the committee beg leave to report the same favorably, and recommend that it do pass.

TERRELL, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 142, being "An act to amend article 235, title 10, of the Revised Civil Statutes, adopted February 21, 1879, providing for the better security of the records and papers in the offices of clerks of courts," have considered the same, and instruct me to report it back to the Senate, with the recommendation that it do not pass.

TERRELL, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 148, being "An act to amend article 2309, title 39, of the Revised Civil Statutes, and providing for the advertising of certain property sold under execution, after duly examining the same, instruct me to recommend that it do not pass.

TERRELL, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 92, being "An act to amend article 2671, of chapter 16, of title 47, of the Revised Civil Statutes, so as to provide for the granting of letters of guardianship without the filing of a new bond when both the guardian and ward are non-residents," have had the same under consideration, and have instructed me to report back the bill with recommendation that it do not pass,

TERRELL, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 149, entitled "An act to amend sections 87, 96, 97, 98, 99, 127, 131 and 132 of 'an act to incorporate the city of Galveston and to grant a new charter,' approved August 2, 1876," have had the same under consideration, and instruct me to report it back and recommend its passage.

It is a local measure, and proposes to amend a special law Your committee found that due notice of intention to apply for its passage has been given by publication, as required by law.

TERRELL, Chairman.

Bill read first time.

Senator Terrell, chairman of Committee on Public Buildings and Grounds, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Public Buildings and Grounds, to whom was referred Senate joint resolution No. 38, "authorizing the Governor to employ a suitable and competent architect or architects to assist the Board of Commissioners appointed to superintend the construction of a new capitol, and to provide for the payment of his services," have had the same under consideration, and I am instructed to report it back with recommendation that it do pass.

It will be seen that the bill only contemplates the aid of an architect in the selection of the best plan and specifications for a new capitol among the many submitted, and the money which will be appropriated to pay for his services will not be taken from the general revenue, but from the money left from the sale of the fifty thousand acres of land set apart for the survey of capitol building lands.

TERRELL, Chairman.

Resolution read first time.

Senator Rainey, chairman of Committee on Counties and County Boundaries, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Counties and County Boundaries to whom was referred Senate bill No. 146, entitled "An act to create the county of John Upton, and to define the boundaries thereof," have had the same under consideration, and instruct me to report the same back to the Senate, with the recommendation that it do pass.

RAINEY, Chairman.

Bill read first time.

Senator Martin of Navarro, chairman of Committee on Agricultural Affairs, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Agricultural Affairs, to whom was referred Senate bill No. 156, a bill to be entitled "An act to define the duties and liabilities of employers who advance the cost of transporting emigrants into this State, of such emigrants, and of others dealing with them, and to prescribe penalties for violating its provisions," have had the same under consideration, and I am instructed by the committee to report the bill back to the Senate, and to recommend its passage.

MARTIN of Navarro, Chairman.

Bill read first time.

Senator Moore, chairman of Committee on Stock and Stockraising, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Stock and Stockraising, to whom was referred Senate bill No. 35, "An act to amend chapter 130 of the act of 1879, entitled 'an act to amend section 46 of an act to encourage stockraising and for the protection of stockraisers,'" have had the same under consideration, and instruct me to report the same back to the Senate, with recommendation that it do pass.

MOORE, Chairman.

Bill read first time.

The President then signed House bill No. 7, entitled "An act to restrict the employment of sailors and crews of foreign vessels from rolling cotton, handling cargo, or laboring on the wharves or levees of ports in the State of Texas, beyond the end of the ships' tackle."

Also, House bill No. 286, entitled "An act making an appropriation for the pay of assistant clerks in the Comptroller's Office for the month of February, 1881."

Also, House bill No. 172, entitled "An act authorizing the commissioners courts of the several counties of this State to issue bonds for the erection of court houses, and to levy a tax to pay for the same."

Senator Terrell, chairman of Judiciary Committee No. 1, submitted the following reports:

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 93, being "An act to amend article 535, of title 32, chapter 1, of the Revised Civil Statutes of the State of Texas, entitled 'election and qualification of justices,'" have had the same under consideration, and have instructed me to report back the bill, with amendment, and, as amended, to recommend that it do pass.

TERRELL, Chairman.

Amend by striking out in lines 19 and 20, page 1, the words, "for the faithful discharge of the duties of his office," and inserting in lieu thereof the words "that he will faithfully account for and pay over all moneys that may come into his hands, to the party or parties entitled to receive the same."

Bill read, with amendment, first time.

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 153, being "An act to be entitled an act to amend articles 2076 and 2077, title 37, chapter 22, of the Revised Civil Statutes, and providing for the advertising of judicial sales of real estates," instruct me to report the same back to the Senate, with the accompanying amendments, and, as amended to recommend that it do pass.

The bill provides for the advertisement in a newspaper of judicial sales, unless instructions to the contrary be given by the defendant in execution.

TERRELL, Chairman.

AMENDMENTS.

Amend the caption by striking out "2076 and 2077, title 37, chapter 22," and insert "2309, title 39."

Amend first section by striking out "2076 and 2077, title 37, chapter 22," and insert "2309, title 39."

Amend first section by striking out "three weeks successively," and insert instead thereof the words "twenty days."

Amend by adding to section 1, the following additional proviso: "provided, further, that the defendant may, by giving instructions in writing to the officer making the levy, have such sale advertised by posting written or printed notices at three public places in the county, one of which shall be at the court house door, for twenty days before the day of sale."

Bill, with amendments, read first time.

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 137, being "An act to amend article 2725, chapter 1, of title 68, of the Revised Civil Statutes of the State of Texas, adopted on the twenty-eighth day of February, A. D. 1879," have had the same under consideration, and have instructed me to report back the bill with recommendation that it do pass.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 144, being "An act to amend article 1536, chapter 1, title 32, of the Revised Civil Statutes of the State of Texas, adopted February 28, 1879," have had the same under consideration, and have instructed me to report back the bill with recommendation that it do pass.

The object of the amendment is to require justices of the peace to qualify within a time specified, and to provide for filling their offices by appointment by the county commissioners, if they should fail to qualify.

Bill read first time.

Senator Buchanan of Grimes, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 11, 1881. U

Hon. L. J. Storey, President of the Senate:

Your Committee on Engrossed Bills have examined and compared Senate bill No. 98, entitled "An act to establish the University of Texas."

Senate bill No. 118, entitled "An act to amend articles 3602 and 3603, chapter 10, title 71 of the Revised Civil Statutes of the State of Texas."

And Senate bill 104, entitled "An act prescribing the times for holding terms of the county courts for criminal business in Grayson and Dallas counties;" and find said bills correctly engrossed.

BUCHANAN of Grimes, Chairman.

Senator Terrell introduced a bill entitled "An act for the relief of the heirs of Samuel T. Allon, deceased." Referred to Committee on Private Land Claims.

Senator Patton introduced a bill entitled "An act to amend article 756, chapter 12 of the Penal Code of the State of Texas, prescribing regulations for butchers in cities, towns or villages, and a penalty for the violations thereof." Referred to Committee on Stock and Stockraising.

Senator Swain introduced a bill entitled "An act to provide for the sale, exchange or destruction of useless or injured property belonging to the State penitentiaries." Referred to the Committee on State Penitentiaries.

Senator Homan asked that the following reasons for his vote upon the proposition to change the time for holding the election of State and county officers be printed in the journals:

I vote "no" on the proposition to change the time for the election of State and county officers from November to August, for the following reasons:

1. The law of the United States requires the election of members of Congress to take place in November, and the result of the passage of this bill will be to require the people to attend two general elections within three months, and to double the expense upon the State and counties for holding elections.

2. The principal and avowed object of the bill is to defeat a jurisdiction claimed by the United States courts to investigate complaints of citizens of the United States, arising out of matters connected with elections in this State; and it has special reference to an inquiry now being made by the United States District Court for the Eastern District of Texas, into certain contests and criminal accusations growing out of the last general election in Harrison county. I object to general legislation calculated to work great inconvenience to the whole people, and serious wrong to individuals in many cases, merely for the gratification of a particular class in one section. I object to the enactment by the Legislature of laws attempting to limit the powers and jurisdiction of the courts of the United States, and which place the State government in an attitude of even apparent hostility to the provisions of the national Constitution, which guarantees to all citizens of the United States equal political rights.

W. K. HOMAN.

The time for special order having arrived, being Senate joint resolution No. 20, "proposing to amend article 8, section 11, of the Constitution of the State of Texas;"

Senator Powers moved to postpone it and take up Senate bill No. 80, entitled "An act to validate certain records deposited in the General Land Office," and make it the special order for to-morrow morning after the morning call, and from day to day until disposed of. Adopted.

On motion of Senator Patton, regular business was further postponed for five minutes, and Senate bill No. 152, entitled "An act to amend title 11, chapter 1, article 241, of the Revised Civil Statutes of the State of Texas, adopted February 21, 1879," was taken up and read second time.

Senator Patton offered the following amendment:

SECTION 2. The fact that courts of the Nineteenth Judicial District are now in session for the trial of persons accused of felony, and that public policy demands that the State shall have additional aid in their prosecution, justifies the suspension of the rule requiring this bill to be read on three several days, and it is suspended; and creates an emergency which requires that this act take effect from and after the passage, and it is so enacted.

Adopted, and bill ordered engrossed.

Senator Gooch moved to suspend the rules and put the bill on its third reading. Adopted by the following vote:

YEAS—24.

Buchanan of Grimes,	Lair,	Rainey,
Buchanan of Wood,	Lane,	Shannon,
Burges,	Lightfoot,	Stewart,
Cooper,	Martin of Cooke,	Stubbs,
Gooch,	Martin of Navarro,	Swain,
Harris,	Moore,	Terrell,
Henderson,	Patton,	Weatherred,
Homan,	Powers,	Wynne.

NOT VOTING—2.

Burton, Hightower.

Bill read third time and passed by the following vote:

YEAS—23.

Buchanan of Grimes,	Lair,	Rainey,
Buchanan of Wood,	Lane,	Shannon,
Burges,	Lightfoot,	Stewart,
Gooch,	Martin of Cooke,	Stubbs,
Harris,	Martin of Navarro,	Swain,
Henderson,	Moore,	Terrell,
Hightower,	Patton,	Weatherred.
Homan,	Powers,	

NOT VOTING—2.

Burton, Cooper.

On motion of Senator Homan, Senator Burton was excused for the day on account of important business.

Senate joint resolution No. 20, "amending section 3, article 7, of the Constitution of the State of Texas, providing for a specific ad valorem school tax and amending section 9, article 8 thereof, limiting the ad valorem tax for general purposes," being first special order for to-day, was taken up, the amendment of Senator Martin of Cooke, striking out the word "freeholders" and inserting "property tax-payers," pending.

Senator Gooch offered the following substitute for pending amendment: Strike out "a majority of the freeholders" and insert "a two-thirds majority of the property tax-payers." Lost and original amendment adopted by the following vote:

YEAS—16.

Buchanan of Wood,	Lightfoot,	Rainey,
Burges,	Martin of Cooke,	Shannon,
Burton,	Martin of Navarro,	Stewart,
Henderson,	Moore,	Swain,
Homan,	Powers,	Terrell.
Lane,		

NAYS—8.

Buchanan of Grimes	Harris,	Stubbs,
Cooper,	Hightower,	Weatherred.
Gooch,	Lair,	

NOT VOTING.

Patton.

Senator Martin of Cooke moved a call of the Senate. Call sustained.

Roll called. Absent, Senators Patton and Wynne.

On motion of Senator Cooper, Senator Wynne was excused.

Senator Patton appeared in the Senate Chamber, and Senate was announced full.

Senator Gooch offered the following amendment: Amend by adding to the amendment offered by Senator Lane and adopted, the following:

Provided, that when an incorporated city or town is an independent school district, the tax levied for the county shall not include the property within such city.

Adopted, and resolution ordered engrossed by the following vote:

YEAS—15.

Buchanan of Wood,	Lightfoot,	Rainey,
Burton,	Martin of Cooke,	Shannon,
Henderson,	Moore,	Stewart,
Homan,	Patton,	Terrell,
Lane,	Powers,	Weatherred.

NAYS—10.

Buchanan of Grimes	Harris,	Martin of Navarro,
Burges,	Hightower,	Stubbs,
Cooper,	Lair,	Swain.
Gooch,		

Senators Gooch and Stubbs requested that the following reasons for voting "nay" on the pending resolution be spread upon the journal:

Mr. President—We vote against the engrossment of Senate joint resolution No. 20, proposing an amendment to the Constitution of the State, to fix the rate of taxation, etc., for the following reasons:

In addition to the twelve and one-half cents ad valorem and two dollars poll tax, provided by it, for the maintenance of free schools, an amendment was adopted providing that a majority of the property tax-payers of any county (outside of a town and city which may be an independent school district) may vote an extra school tax of fifteen cents on the hundred dollars.

The Constitution makes provision for a city or town to levy an extra tax for schools; but it limits the right to levy it to a vote of a majority of two-thirds of property tax-payers.

The restriction tends to equalize representation and taxation, or power and interest involved, and secures to those who are chiefly to bear the burden a voice in fixing it.

We believe the restriction and safeguards thrown around the property of cities and towns, should be extended to the property of the country. The discrimination we believe to be unwise and unjust, and therefore vote against the bill.

JNO. YOUNG GOOCH.
JAMES B. STUBBS.

Senator Swain asked that the following reasons for his vote upon this resolution be printed in the journal:

I am opposed to the proposed resolution, and vote against its passage for the reasons:

1. That it proposes to insert into our Constitution an amount certain to be given to the free schools of the State, irrespective of what may be the condition of any section, from failure of crops or great public calamity.

2. The Constitution now provides that the Legislature shall appropriate not more than one-fourth of the general revenue for the support of the public free schools, and thus leaves to the discretion of the representatives of the people to appropriate such amount as the wants of the State and the condition of the people will justify.

3. There are many counties in the State that draw from the State treasury more money for the support of the free schools than they pay into the treasury from occupation and ad valorem taxes, and should this measure obtain, the amount in excess given to many counties in the State would far exceed what it does now. But I do favor and shall be glad to support a resolution that gives the Legislature the power to appropriate what may seem expedient from the general revenue, and allow the people in the several counties, by a vote of the qualified voters thereof, to say what they are willing to be taxed to raise additional means for the encouragement and maintenance of the public free schools of their respective counties.

W. J. SWAIN.

Senator Burges gave notice that he would enter his reasons for his vote on the bill.

Senate joint resolution No. 18, "Proposing to amend section 11, article 8 of the Constitution of the State of Texas," being next special order for the day, was taken up.

Senator Patton offered the following amendment: After "manufacture" add "and agriculture." Lost by the following vote:

YEAS—11.

Buchanan of Grimes	Gooch,	Swain,
Buchanan of Wood,	Harris,	Terrell,
Burton,	Patton,	Weatherred.
Cooper,	Shannon,	

NAYS—14.

Burges,	Lane,	Powers,
Henderson,	Lightfoot,	Rainey,
Hightower,	Martin of Cooke,	Stewart,
Homan,	Martin of Navarro,	Stubbs,
Lair,	Moore,	

Senator Stewart moved a call of the Senate. Call sustained.

Roll called—Senate full.

Pending resolution resumed.

Senator Burton offered the following amendment: Amend

by striking out the words "may exempt," and inserting the words "shall not exempt."

Senator Lair moved the previous question on bill and amendment. Motion seconded and main question ordered. Senator Stewart moved a call of the Senate.

Roll called—Senate full.

Senator Burton's amendment was lost by the following vote:

YEAS—9.

Buchanan of Grimes	Cooper,	Patton,
Buchanan of Wood,	Gooch,	Terrell,
Burton,	Hightower,	Weatherred.

NAYS—16.

Burges,	Lightfoot,	Rainey,
Harris,	Martin of Cooke,	Shannon,
Henderson,	Martin of Navarro,	Stewart,
Homan,	Moore,	Stubbs,
Lair,	Powers,	Swain.
Lane,		

The resolution was ordered engrossed by the following vote:

YEAS—13.

Burges,	Lane,	Powers
Harris,	Lightfoot,	Rainey,
Henderson,	Martin of Cooke,	Stewart,
Homan,	Moore,	Stubbs.
Lair,		

NAYS—12.

Buchanan of Grimes	Gooch,	Shannon,
Buchanan of Wood,	Hightower,	Swain,
Burton,	Martin of Navarro,	Terrell,
Cooper,	Patton,	Weatherred.

Senator Shannon moved to postpone regular business, and take up House concurrent resolution with regard to joint committees for apportionment, with amendment by the Senate, in which the House refused to concur, and asking a conference committee. Adopted.

Resolution up taken, when Senator Shannon moved that the Senate adhere to its amendment, and that a committee be appointed for such conference.

Senator Gooch moved to amend by providing that the number appointed be three. Accepted, and motion adopted.

The President appointed for said committee Senators Shannon, Lightfoot and Gooch.

Senator Lane, by leave, introduced a bill entitled, "An act validating the proceedings of the County Court of Jackson county." Referred to Judiciary Committee No. 1.

Senator Henderson introduced a bill entitled "An act setting apart a certain portion of the public lands of the State to the Agricultural and Mechanical College of Texas, to provide for the location, survey and sale thereof, and for the disposition of the funds arising from such sale." Referred to Committee on Public Lands.

Senator Stewart introduced a bill entitled "An act to amend section 4, article 1645, title 33, of the Revised Civil Statutes of the State of Texas." Referred to Judiciary Committee No. 1.

On motion of Senator Patton, Senator Burges was added to the Committee on State Affairs.

House bill No. 292, entitled "An act to reorganize the Tenth Judicial District, and to establish the Thirty-fifth Judicial District, and prescribe the time of holding terms of courts therein, and providing for the appointment of a district attorney and a district judge for the Thirty-fifth Judicial District, and a district attorney for the Tenth Judicial District," was taken up as unfinished business on the President's table, and passed to third reading.

Senator Gooch offered the following amendment:

Section 5. If any unorganized county mentioned in this bill shall organize prior to the next regular session of the Legislature, the district judge shall fix times to hold at least two terms of court each year in each of such counties, by a written declaration to be forwarded by the judge to the district clerk of the county, and spread

by him upon the minutes of the district court. When the times are so fixed, they shall not be changed except by the Legislature.

Adopted, and bill passed to third reading.

On motion of Senator Martin of Cooke, the rules were suspended, and bill placed on its third reading by the following vote:

YEAS—21.

Buchanan of Grimes	Henderson,	Patton.
Buchanan of Wood,	Hightower,	Powers,
Burges,	Lane,	Rainey,
Burton,	Lightfoot,	Shannon,
Cooper,	Martin of Cooke,	Stubbs,
Gooch,	Martin of Navarro,	Swain,
Harris,	Moore,	Weatherred.

NAYS—none.

NOT VOTING—4.

Homan,	Stewart,	Terrell.
Lair,		

Bill read third time and passed by the following vote:

YEAS—21.

Buchanan of Grimes	Henderson,	Patton,
Buchanan of Wood,	Hightower,	Powers,
Burges,	Lane,	Rainey,
Burton,	Lightfoot,	Shannon,
Cooper,	Martin of Cooke,	Stubbs,
Gooch,	Martin of Navarro,	Swain,
Harris,	Moore,	Weatherred.

NAYS—none.

NOT VOTING—4.

Homan,	Stewart,	Terrell.
Lair,		

A message was received from the House, announcing the passage of Senate bill No. 73, entitled "An act defining who are officers of the State, and prescribing their rights, powers, duties and privileges.

On motion of Senator Buchanan of Wood, Senator Patton was excused for one week from to-morrow, on important business.

Senator Buchanan of Grimes, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 11, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Engrossed Bills have examined and find correctly engrossed Senate bill No. 139, "An act to change and define the times of holding the terms of the district courts in the Fifth Judicial District of the State of Texas, approved the twenty-third day of April, 1879."

BUCHANAN of Grimes, Chairman.

Senator Buchanan of Grimes, by request, introduced a joint resolution reviving certain appropriations made for the payment of the second-class debt. Referred to Committee on Finance.

On motion of Senator Harris, Senate adjourned till to-morrow morning at 10 o'clock.

TWENTY-NINTH DAY.

SENATE CHAMBER, }
AUSTIN, February 12, 1881. }

The Senate met pursuant to adjournment; the President in the chair.

Roll called—quorum present.

Prayer by the Chaplain.

On motion of Senator Shannon, the reading of the journal of yesterday was dispensed with, and the same adopted.

Senator Ross presented a petition of citizens of Young county, asking relief for the Tonkaway Indians. Referred to Committee on State Affairs.

Senator Harris presented a memorial of citizens of Bell county, asking an increase in the compensation of sheriffs. Referred to Committee on Finance.

Senator Lair presented a petition signed by citizens of